UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,654	12/12/2001	Akseli Anttila	NC28554;BW04770.00031	7848

22907   7590   01/23/2008
BANNER & WITCOFF, LTD.
1100 13th STREET, N.W.
SUITE 1200
WASHINGTON, DC 20005-4051

EXAMINER
DIVECHA, KAMAL B

ART UNIT	PAPER NUMBER
2151	

MAIL DATE	DELIVERY MODE
01/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/017,654	ANTTILA ET AL.
	Examiner	Art Unit	
	KAMAL B. DIVECHA	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 October 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-39</u> is/are pending in the application.

   4a) Of the above claim(s) <u>21-23 and 26-29</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20,24,25,30-39</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>20070530</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claims 1-20, 23-25, 30-39 are pending in this application.

Claims 21-22 and 26-29 were previously withdrawn.

Claim 35 was previously cancelled.

Claims 38-39 are newly added.

Response to Arguments

Applicant's arguments filed on October 29, 2007 with respect to claims 1-20, 23-25 and

30-37 have been fully considered but are moot in view of the new ground(s) of rejection, as

necessitated by the substantial amendments through the incorporation of "wherein if the second

terminal does not have the media file, the second terminal downloads the media file before

sending the media playback accept response", as well as addition of new claims.

In response filed, applicant further submits that:

a.   Liou does not disclose a modification file (remarks, pg. 12).

Examiner respectfully disagrees.

Initially, the applicant's specification discloses (pg. 14 [43-45]):

> According to one embodiment, the playback device associated with each of the terminals 101, 103, and 105 is able to modify media characteristics, using a preset selection of effects and modifications (e.g. converting color imagery into black and white, inverting the colors, distorting the sound channels, changing the tempo and speed of the playback) stored at the terminal. In other words, a playback device utilizes a data file containing associated modifications in order to alter the processing of the media file during the playback session.
> The modification file can be formed by storing all the playback control messages created during the playback session.

In light of the specification, for example, pg. 12 [31], the playback control messages may include pause, rewind, fast-forward, user-specified internal effect algorithm to modify audio or video, or textual comment from a user.

In other words, the modification file can be interpreted as a preset selection of effects and modifications, such as rewind, play, pause, entering text, etc.

In short, Liou explicitly teaches and/or discloses modifying the media file in accordance with modification file.

For example: The figure reproduced below shows a user interface with video annotator including various annotation control icons/files/commands such as play, pause, stop, etc., that enables the client to modify the video.

The video annotator enables the client to insert textual comments through a text edit window, for example, pg. 12 lines 12-25.

The user can dynamically adjust the play speed by moving the slider 444, for example, pg. 11 lines 21-32.

These modification icons/commands/actions are actually stored as files, i.e. as video annotator, which includes plurality of preset actions for modification purposes.

FIG. 4
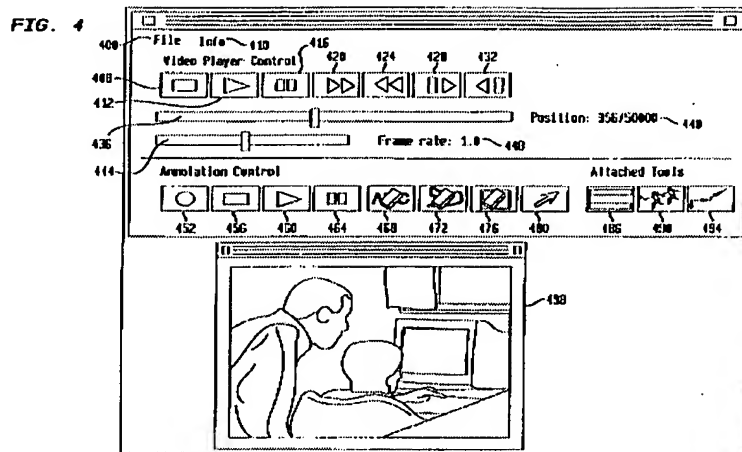
Information Disclosure Statement

The information disclosure statement filed 5/30/07 fails to comply with the provisions of

37 CFR 1.97, 1.98 and MPEP § 609 because US 2001/003523 A1 is an invalid document

number and/or do not exist. It has been placed in the application file, but the information

referred to therein has not been considered as to the merits. Applicant is advised that the date of

any re-submission of any item of information contained in this information disclosure statement

or the submission of any missing element(s) will be the date of submission for purposes of

determining compliance with the requirements based on the time of filing the statement,

including all certification requirements for statements under 37 CFR 1.97(e). See MPEP

§ 609.05(a).

Claim Objections

The objections presented in the previous office action is withdrawn in light of the

amendments, see response filed 10/29/07, pgs. 1-9.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1.   Claims 1-20, 23-25, 30-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites:

A method, comprising:
(a) transmitting a media playback invite request received from a first terminal to a second terminal, wherein the first terminal is associated with a host user and the second terminal is associated with guest user;
(b) relaying a media playback accept response from the second terminal to the first terminal; and
(c) distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to begin a playback session of a media file in synchronization with the first terminal

The functionality "distributing a start playback request…in synchronization with the first terminal" is unclear.

It is unclear whether the playback occurs with respect to initial starting of the synchronization process OR is with respect to ongoing synchronization process, thus enabling the scope of claims unascertainable.

Claims 2-20, 23-25 and 30-39 are rejected for the same reasons as set forth above.

Claim 11 recites:

"A computer-readable medium containing instructions for controlling a computer system to perform a method comprising…"

The claim is rendered indefinite because it is unclear which one of the followings, i.e. whether a computer readable medium, instructions, computer system or a method, is associated with the term comprising and its associated features, i.e. features in the body of the claim.

Stated another way, it is unclear whether the features are embodied in a computer readable medium, are embodied as instructions in a computer readable medium, embodied in a computer system, etc.

Claims 12-13 and 23-25 are rejected for the same reasons as set forth in claim 11.

<u>Claim 37 recites:</u>

A system comprising:
A host terminal...
A guest terminal...and for downloading the media <u>file if necessary...</u>
A central server...

The claim is rendered indefinite because the functionality encompassed by the recitation "if necessary" is unclear, thus, un-enabling one of ordinary skilled in the art to ascertain the metes and bounds of the claim.

Applicant is advised to take appropriate action.

In response filed, applicants have amended the preamble of claim 1 in order to overcome the 35 U.S.C. 112, 2nd paragraph rejection with respect to claim 1 (remarks, pg. 10).

However, the exclusion of "for synchronous media playback" in the preamble does not overcome the rejection as this rejection is directed to recitation, "distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to begin a playback session of a media file <u>in synchronization</u> with the first terminal".

The 35 U.S.C. 112, 2nd paragraph rejections presented in the previous office action with

respect to claims 6, 7 and 23 is withdrawn in light of the amendments filed 10/29/07, pgs. 1-9.

Note: Since the specification fails to define the term "computer readable medium", the

computer-readable medium was/is interpreted as hardware/physical storage medium.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2.   Claims 1, 2, 4-6, 8-19, 23-25, 30-34 and 36-39 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Liou (WO 99/46702) in view of Dalrymple et al. (hereinafter

Dalrymple, US 6,976,094 B1), and further in view of Lango et al. (hereinafter Lango, US

7,076,560 B1).

As per claim 34, Liou discloses an apparatus [i.e. a central server for use in a synchronous media playback system] (fig. 8 item #800, pg. 3 L15-32, pg. 4 L13-23, pg. 10 L25-32: collaboration server) comprising:

a processor (fig. 8 item #800); and

memory storing computer-executable instructions that, when executed (fig. 8 item #800, 804), perform:

receiving a media playback invite request received from a first terminal to a second terminal, wherein the first terminal is associated with a host user and the second terminal is associated with guest user, and wherein the media playback invite request is for a playback session of a media file (fig. 10: joining a session, pg. 5 L20-28, pg. 7 L22-28: sending a join request message, pg. 18 L4-32: synchronous media playback); and

distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to being a playback session of a media file that is locally stored in the second terminal in synchronization with the first terminal (fig. 10: joining and distributing request, user 1, user 2, pg. 18 L4-32, pg. 14 L12-32: receiving messages and distributing to clients).

However, Liou does not expressly disclose the process of transmitting a media playback request received from a first terminal to a second terminal and the process of relaying a media playback accept response from the second terminal to the first terminal.

Dalrymple explicitly discloses a call set-up method during conferencing comprising the process of sending an invite request message from the first terminal to the second terminal through a central server, and the process of relaying a media playback accept response from the

second terminal to the first terminal (i.e. a standard approach for setting up a communication session in SIP protocol, fig. 2 step #100, 106, 108, 110, fig. 4, col. 3 L50 to col. 4 L46, col. 5 L23-50: the OK response message in SIP protocol by a node/terminal is to convey to the client that the action was successfully received, understood and accepted).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify (if necessary) Liou in view of Dalrymple in order to send accept response message from the second terminal to the first terminal (and logically it would not make sense to send the OK message when the node or terminal does not have file).

One of ordinary skilled in the art would have been motivated because this would have established a communication session between two computers (Dalrymple: col. 3 L50 to col. 4 L21).

However, Liou in view of Dalrymple does not disclose the process wherein if the second terminal does not have the media file, the second terminal downloads the media file before sending the media playback accept response.

Lango explicitly discloses the process wherein if the second terminal (i.e. cache server) does not have the media file, the second terminal downloads the media file from the origin server or the Internet before sending the response (col. 1 L63 to col. 2 L26, col. 3 L45 to col. 4 L67).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou and Dalrymple in view of Lango in order to download the media file if the terminal does not have the media file before sending the response (and it would be necessary to download the file before even accepting the action).

One of ordinary skilled in the art would have been motivated because it would have served the client's system with the streaming media for playback (Lango: col. 2 L1-26).

As per claim 36, Liou discloses an apparatus (i.e. a host terminal (pg. 10 L1-24) for use in a synchronous media playback system) comprising:

a communication interface (pg. 10 L1-24, fig. 1: plurality of host terminals, fig. 10: user 1 and user 2 are associated with the host terminals);

a media player (fig. 4, fig. 10: video player 1 and 2, pg. 10 L1-24); and

a processor (pg. 10 L1-24); and

memory (pg. 6 L3-10) storing computer-executable instructions that when executed (pg. 10 L1-24, fig. 1: plurality of host terminals), perform:

transmitting a media playback invite request received from a first terminal and to a terminal, wherein the media playback invitations is for a playback session of media file (fig. 10: joining a session, pg. 5 L20-28, pg. 7 L22-28: sending a join request message, pg. 18 L4-32: synchronous media playback); and

in response to receiving the messages, distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to being a playback session of a media file that is locally stored in the second terminal in synchronization with the apparatus (fig. 10: joining and distributing request, user 1, user 2, pg. 18 L4-32, pg. 14 L12-32: receiving messages and distributing to clients).

However, Liou does not expressly disclose the process of transmitting the media playback request from a first terminal to a second terminal and the process of relaying a media playback accept response from the second terminal to the first terminal.

Dalrymple explicitly discloses a call set-up method during conferencing comprising the process of sending an invite request message from the first terminal to the second terminal associated wit the guest user and the process of relaying a media playback accept response from the second terminal to the first terminal (i.e. a standard approach for setting up a communication session in a SIP protocol, fig. 2 step #100, 106, 108, 110, fig. 4, col. 3 L50 to col. 4 L46, col. 5 L23-50).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify (if necessary) Liou in view of Dalrymple in order to send an invite request to a second terminal and receive accept response message from the second terminal to the first terminal.

One of ordinary skilled in the art would have been motivated because this would have established a communication session between two computers (Dalrymple: col. 3 L50 to col. 4 L21).

However, Liou in view of Dalrymple does not disclose the process wherein if the second terminal does not have the media file, the second terminal downloads the media file before sending the media playback accept response.

Lango explicitly discloses the process wherein if the second terminal (i.e. cache server) does not have the media file, the second terminal downloads the media file from the origin server or the Internet before sending the response (col. 1 L63 to col. 2 L26, col. 3 L45 to col. 4 L67).

Therefore it would have been obviuos to a person of ordinary skilled in the art at the time the invention was made to modify Liou and Dalrymple in view of Lango in order to download the media file if the terminal does not have the media file before sending the response.

One of ordinary skilled in the art would have been motivated because it would have served the client's system with the streaming media for playback (Lango: col. 2 L1-26).

As per claim 2, Liou discloses the process comprising the step of distributing an action request between the first terminal and the second terminal during the playback session (pg. 6 L18-27, pg. 14 L12-33: receives action(s) and distributes to all session manager associated with the users).

As per claim 4, Liou discloses the process wherein the action request is selected from the group consisting of a rewind request, a pause playback request, a fast forward request, a textual comment request, and a user-specified internal effect algorithm to modify audio or video of the media file (pg. 11 L21-32, pg. 12 L12-25, fig. 4).

As per claim 5, Liou discloses the process comprising the step of distributing a stop playback request from the first terminal to the second terminal in response to the host user terminating the playback session (pg. 11 L21-32, pg. 12 L1-25: a stop button will stop the playback session, pg. 14 L12-32: distributing actions to the rest of the clients).

As per claim 6, Liou discloses the process of storing an internal time in response to distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to being a playback session of a media file that is locally stored in the second terminal in synchronization with the first terminal (pg. 7 L10-14) and providing an elapsed time since distributing the start playback request to third terminal when the third terminal joins the playback session during the playback session (pg. 6 L3-27: delaying, pg. 14 L12-24).

As per claim 8, Liou discloses the process of receiving a stop playback request from the second terminal in response to the guest user withdrawing from the playback session (pg. 11 L21-32, pg. 12 L1-25: a stop button will stop the playback session); and removing a session entry that is associated with the second terminal, wherein the session entry indicates participation of the second terminal in the playback session (pg. 14 L12-23: managing state of the conference).

As per claim 9, Liou discloses the process of receiving a stop playback request from the first terminal in response to the host user ending the playback session and terminating the playback session in response to receiving a stop playback request (pg. 11 L21-32, pg. 12 L1-25: a stop button will stop the playback session).

As per claim 10, Liou discloses the process of instructing the second terminal to modify the media file in accordance with a modification file during the playback session (fig. 4, pg. 7 L29 to pg. 8 L6: client loads one of video and recorded annotation file in a user interface for performing annotation of the video file, i.e. annotating/modifying the media file in accordance with the recorded annotation file, pg. 12 L12-25: recording annotations in accordance with a text edit window, pg. 19 L9-13: annotate during the playback of recorded annotation file, commanding to draw annotation based on the received annotation record, i.e. a modification file).

As per claim 20, Liou and Dalrymple does not disclose the system comprising sending requests and receiving responses through a network, wherein the network comprises a wireless communications channel.

Lango explicitly teaches using the wireless communication channel and/or network (col. 3 L45 to col. 4 L41).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou and Dalrymple and in view of Lango in order to employ the process over the wireless channel/network.

One of ordinary skilled in the art would have been motivated because wireless networks are known to provide data access to plurality of portable devices (Lango: col. 6 L58-67).

As per claim 30, Liou discloses the process wherein the media file is locally stored on the second terminal for playback (pg. 6 L3-10).

As per claim 38, Liou and Dalrymple discloses the apparatus wherein the processor utilizes the communication interface to communicate to a central server, wherein the central server receives and forwards invitations and responses between the apparatus and the terminal (Liou: pg. 10 L1-24, pg. 14 L12-32, fig. 1, fig. 10; Dalrymple: fig. 2-4, pg. 16 L21-27).

As per claim 1, 11-19, 23-25, 31-33, 37 and 39, they do not teach or further define over the limitations in claims 34, 36, 2, 4-6, 8-10, 20, 30 and 38. Therefore claims 1, 11-19, 23-25, 31-33, 37 and 39 are rejected for the same reasons as set forth in claims 34, 36, 2, 4-6, 8-10, 20, 30 and 38.

3.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liou (WO

99/46702) in view of Dalrymple et al. (hereinafter Dalrymple, US 6,976,094 B1), in view of

Lango et al. (hereinafter Lango, US 7,076,560 B1), and further in view of Crandall et al.

(hereinafter Crandall, US 2002/0107040 A1).

As per claim 7, Liou, Dalrymple and Lango disclose the process of receiving a first

internal time from the first terminal or the second terminal, wherein the first internal time is

derived from a global time (Liou: pg. 6 L3-27, pg. 14 L12-24, pg. 7 L10-14).

However, Liou, Dalrymple and Lango does not expressly disclose the process of

comparing the first internal time to a second internal time in order to derive a time difference,

wherein the second internal time is derived from the global time; and adjusting transmission of a

subsequent message to the first terminal or the second terminal (Liou may inherently teach the

process).

Crandall discloses the process of synchronizing messages by determining first time and

second time, comparing the first time with the second time in order to derive time difference, i.e.

delay, and adjusting the transmission of a subsequent message to the first terminal (fig. 4, fig. 5,

fig. 7, fig. 9, pg. 2 [0030-0034], pg. 3 [0044-0046], pg. 4 [0047-0057]).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to modify Liou, Dalrymple and Lango in view of Crandall in order to

derive a time difference and adjust the transmission of the messages.

One of ordinary skilled in the art would have been motivated because it would have

provided same amount of latency for different users and/or actions (Crandall, pg. 1 [0005]).

4.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liou (WO

99/46702) in view of Dalrymple et al. (hereinafter Dalrymple, US 6,976,094 B1), in view of

Lango et al. (hereinafter Lango, US 7,076,560 B1), and further in view of Agresta et al.

(hereinafter Agresta, US 2002/0091848 A1).

As per claim 3, Liou, Dalrymple and Lango does not disclose the process of verifying

permissions associated with the first terminal and the second terminal before executing the

process as in claim 2.

Agresta explicitly teaches the process of verifying the permissions, i.e. authoring account

before executing the process such as pause, rewind, forward, etc. (fig. 4A step #116, 138, pg. 6

[0051]).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to modify Liou, Dalrymple and Lango in view of Agresta in order to

verify the permissions of the terminals and/or users before executing any actions.

One of ordinary skilled in the art would have been motivated because it would have

verified the access rights of the user.

As per claim 20, Liou, Dalrymple and Lango does not disclose the system wherein the

network comprises a wireless communications channel.

Agresta explicitly teaches using the wireless communication channel and/or network (fig.

3 item #22, pg. 3 [0037]).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to modify Liou in view of Dalrymple and further in view of Agresta in

order to employ the process over the wireless channel.

One of ordinary skilled in the art would have been motivated because it would have

enabled the user to remote access data (Agresta, pg. 3 [0037]).

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

- Handley et al., RFC 2543: SIP protocol, March 1999, can be obtained at

  http://www.ietf.org/rfc/rfc2543.txt?number=2543

- Andreakis et al., US 6,816,895 B2: Updating the capability negotiation

  information of a mobile station with an editing application downloaded from

  service provider.

- Saxena et al., U. S. Patent No. 5,805,821.

- Agarwal et al., U. S. Patent No. 6,314,466 B1.

- Schmidt et al., U.S. Patent No. 6,353,174 B1.

- King et al., US 5,600,775: Method and apparatus for annotating full motion video.

- MeLampy et al., US 7,133,923 B2: Real-Time Transport protocol.

Conclusion

Examiner's Remarks: The teachings of the prior art should not be restricted and/or

limited to the citations by columns and line numbers, as specified in the rejection. Although the

specified citations are representative of the teachings of the art and are applied to specific

limitations within the individual claim, other passages and figures may apply as well. It is

respectfully requested from the applicant in preparing responses, to fully consider the references

in its entirety as potentially teaching all or part of the claimed invention, as well as the context of

the passage as taught by the prior art or disclosed by the examiner.

In the case of amendments, Applicant is respectfully requested to indicate the portion(s)

of the specification which dictate(s) the structure relied on for proper interpretation and support,

for ascertaining the metes and bounds of the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-

5863. The examiner can normally be reached on Increased Flex Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamal Divecha/

Kamal Divecha
Art Unit 2151

JOHN FOLLANSBEE,
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100